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*Attorneys for Defendants Volkswagen AG and
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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: VOLKSWAGEN “CLEAN
DIESEL” MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

MDL No. 2672 CRB (AGT)

**STIPULATION AND ~~PROPOSED~~
AMENDED SCHEDULING ORDER**

Judge: Hon. Charles R. Breyer

This Document Relates To:

U.S. S.E.C. v. Volkswagen AG,
No. 3:19-cv-1391-CRB

Plaintiff United States Securities and Exchange Commission (“Plaintiff”), Defendants Volkswagen AG and Volkswagen Group of American Finance, LLC (“VW”), and Defendant Martin Winterkorn (collectively, the “Parties”), through their undersigned counsel, hereby agree and stipulate as follows:

WHEREAS, the Court previously entered the stipulated amended Scheduling Orders on November 18, 2022, August 15, 2022, May 12, 2022, and December 17, 2021 (ECF Nos. 97, 89, 80, 76);

1 WHEREAS, since the entry of the Court's most recent scheduling order, the Parties have
2 served and responded to substantial written discovery, including interrogatories and document
3 requests, and made document productions, which continue but are not yet complete;

4 WHEREAS, the COVID-19 pandemic substantially limited the Parties' ability to take and
5 complete deposition discovery, particularly depositions of VW's current and former employees
6 residing in Germany;

7 WHEREAS, the Parties have now taken several depositions, including of VW employees in
8 Europe;

9 WHEREAS, the Parties are currently working to schedule and take additional depositions;

10 WHEREAS, the Parties continue to meet and confer in good faith attempts to resolve any
11 discovery disputes;

12 WHEREAS, despite the Parties' efforts, they will need additional time to complete discovery
13 and, thus, jointly request an extension of the dates set forth in the Court's Scheduling Order;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, that the
15 Scheduling Order be amended as follows:

ACTION	Due Dates
Fact Discovery Cutoff:	June 16, 2023
Expert Reports Exchanged:	September 22, 2023
Rebuttal Expert Reports Exchanged:	December 4, 2023
Expert Discovery Cutoff:	January 19, 2024
Dispositive Motions & Opening Briefs:	March 29, 2024
Oppositions to Dispositive Motions:	May 24, 2024
Replies in Support of Dispositive Motions:	June 14, 2024
Pretrial Conference:	To be set by Court at later date

1 Trial:

To be set by Court at later date

2 This Stipulation may be executed in counterparts, and electronic or facsimile signatures shall
3 be deemed equivalent to original signatures.

4 IT IS SO STIPULATED.

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6 Dated: February 21, 2023

Respectfully submitted,

8 /s/ Robert J. Giuffra, Jr.

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17 /s/ Peter R. Jerdee (with permission)

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7 *Attorneys for Plaintiff*

8 *U.S. Securities and Exchange Commission*

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED

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18 DATED: February 22, 2023

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20 CHARLES R. BREYER

21 United States District Judge
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